

(June 28, 1902, ch. 1301, §1, 32 Stat. 480; Pub. L. 95-94, title IV, §405(a), Aug. 5, 1977, 91 Stat. 682.)

AMENDMENTS

1977—Pub. L. 95-94 inserted provisions relating to crediting of the moneys deposited in the Treasury.

EFFECTIVE DATE OF 1977 AMENDMENT

Section 405(b) of Pub. L. 95-94 provided that: “The amendment made by subsection (a) [amending this section] shall take effect on October 1, 1977.”

§ 151. Smithsonian Library

The library collected by the Smithsonian Institution under the provisions of the Act of August 10, 1846, chapter 25, and removed from the building of that institution, with the consent of the Regents thereof, to the Library of Congress, shall, while there deposited, be subject to the same regulations as the Library of Congress, except as hereinafter provided.

(R.S. §99.)

REFERENCES IN TEXT

Act of August 10, 1846, chapter 25, referred to in text, probably should be act Aug. 10, 1846, ch. 178, 9 Stat. 102, which was entitled “An Act to establish the ‘Smithsonian Institution’, for the increase and diffusion of knowledge among men”.

CODIFICATION

R.S. §99 derived from act Apr. 5, 1866, ch. 25, §1, 14 Stat. 13.

CROSS REFERENCES

Smithsonian Institution, see section 41 et seq. of Title 20, Education, and sections 1305 and 1321 of Title 31, Money and Finance.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 152 of this title.

§ 152. Care and use of Smithsonian Library

The Smithsonian Institution shall have the use of the library referred to in section 151 of this title in like manner as before its removal. All the books, maps, and charts of the Smithsonian Library shall be properly cared for and preserved in like manner as are those of the Congressional Library; from which the Smithsonian Library shall not be removed except on reimbursement by the Smithsonian Institution to the Treasury of the United States of expenses incurred in binding and in taking care of the same, or upon such terms and conditions as shall be mutually agreed upon by Congress and the Regents of the Institution.

(R.S. §100.)

CODIFICATION

R.S. §100 derived from act Apr. 5, 1866, ch. 25, §2, 14 Stat. 13.

§ 153. Control of library of House of Representatives

The library of the House of Representatives shall be under the control and direction of the Librarian of Congress, who shall provide all needful books of reference therefor. The librarian, two assistant librarians, and assistant in the library, shall be appointed by the Clerk of

the House, with the approval of the Speaker of the House of Representatives. No removals shall be made from the said positions except for cause reported to and approved by the Committee on Rules.

(Mar. 3, 1901, ch. 830, §1, 31 Stat. 964.)

§ 154. Library of Congress Trust Fund Board; members; quorum; seal; rules and regulations

A board is created and established, to be known as the “Library of Congress Trust Fund Board” (hereinafter referred to as the board), which shall consist of the Secretary of the Treasury (or an Assistant Secretary designated in writing by the Secretary of the Treasury), the chairman of the Joint Committee on the Library, the Librarian of Congress, two persons appointed by the President for a term of five years each (the first appointments being for three and five years, respectively), four persons appointed by the Speaker of the House of Representatives (in consultation with the minority leader of the House of Representatives) for a term of five years each (the first appointments being for two, three, four, and five years, respectively), and four persons appointed by the majority leader of the Senate (in consultation with the minority leader of the Senate) for a term of five years each (the first appointments being for two, three, four, and five years, respectively). Nine members of the board shall constitute a quorum for the transaction of business, and the board shall have an official seal, which shall be judicially noticed. The board may adopt rules and regulations in regard to its procedure and the conduct of its business.

(Mar. 3, 1925, ch. 423, §1, 43 Stat. 1107; Pub. L. 95-277, May 12, 1978, 92 Stat. 236; Pub. L. 102-246, §§1, 2, Feb. 18, 1992, 106 Stat. 31.)

CODIFICATION

Section is comprised of first par. of section 1 of act Mar. 3, 1925. Second par. of section 1 is classified to section 155 of this title.

AMENDMENTS

1992—Pub. L. 102-246 struck out “and” after “Librarian of Congress,” inserted “, four persons appointed by the Speaker of the House of Representatives (in consultation with the minority leader of the House of Representatives) for a term of five years each (the first appointments being for two, three, four, and five years, respectively), and four persons appointed by the majority leader of the Senate (in consultation with the minority leader of the Senate) for a term of five years each (the first appointments being for two, three, four, and five years, respectively)” after “respectively”, and substituted “Nine” for “Three”.

1978—Pub. L. 95-277 inserted “(or an Assistant Secretary designated in writing by the Secretary of the Treasury)”.

SHORT TITLE

Act Mar. 3, 1925, enacting sections 154 to 162 and 163 of this title, is popularly known as the “Library of Congress Trust Fund Board Act”.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 160 of this title.

§ 155. Compensation and expenses of Library of Congress Trust Fund Board

No compensation shall be paid to the members of the board for their services as such members, but they shall be reimbursed for the expenses necessarily incurred by them, out of the income from the fund or funds in connection with which such expenses are incurred. The voucher of the chairman of the board shall be sufficient evidence that the expenses are properly allowable. Any expenses of the board, including the cost of its seal, not properly chargeable to the income of any trust fund held by it, shall be estimated for in the annual estimates of the librarian for the maintenance of the Library of Congress.

(Mar. 3, 1925, ch. 423, §1, 43 Stat. 1107.)

CODIFICATION

Section is comprised of second par. of section 1 of act Mar. 3, 1925. First par. of section 1 is classified to section 154 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 160 of this title.

§ 156. Gifts, etc., to Library of Congress Trust Fund Board

The Board is authorized to accept, receive, hold, and administer such gifts, bequests, or devises of property for the benefit of, or in connection with, the Library, its collections, or its service, as may be approved by the Board and by the Joint Committee on the Library.

(Mar. 3, 1925, ch. 423, §2, formerly §1, 43 Stat. 1107, renumbered Apr. 13, 1936, ch. 213, 49 Stat. 1205.)

CODIFICATION

Section is comprised of first par. of section 2 of act Mar. 3, 1925. Second, third, and fourth pars. of section 2 are classified to sections 157, 158, and 158a of this title, respectively.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 158a, 160 of this title.

§ 157. Funds of Library of Congress Trust Fund Board; management of

The moneys or securities composing the trust funds given or bequeathed to the board shall be receipted for by the Secretary of the Treasury, who shall invest, reinvest, or retain investments as the board may from time to time determine. The income as and when collected shall be deposited with the Treasurer of the United States, who shall enter it in a special account to the credit of the Library of Congress and subject to disbursement by the librarian for the purposes in each case specified; and the Treasurer of the United States is authorized to honor the requisitions of the librarian made in such manner and in accordance with such regulations as the Treasurer may from time to time prescribe: *Provided, however*, That the board is not authorized to engage in any business nor to exercise any voting privilege which may be incidental to securities in its hands, nor shall the board make any investments that could not lawfully be made by a trust company in the District of Co-

lumbia, except that it may make any investments directly authorized by the instrument of gift, and may retain any investments accepted by it.

(Mar. 3, 1925, ch. 423, §2, formerly §1, 43 Stat. 1107, renumbered Apr. 13, 1936, ch. 213, 49 Stat. 1205.)

CODIFICATION

Section is comprised of second par. of section 2 of act Mar. 3, 1925. First, third, and fourth pars. of section 2 are classified to sections 156, 158, and 158a of this title, respectively.

CROSS REFERENCES

Library of Congress gift fund and trust fund, investment account, to be classified on books of Treasury as trust funds, see section 1321 of Title 31, Money and Finance.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 158a, 160 of this title.

§ 158. Deposits by Library of Congress Trust Fund Board with Treasurer of United States

In the absence of any specification to the contrary, the board may deposit the principal sum, in cash, with the Treasurer of the United States as a permanent loan to the United States Treasury, and the Treasurer shall thereafter credit such deposit with interest at a rate which is the higher of the rate of 4 per centum per annum or a rate which is 0.25 percentage points less than a rate determined by the Secretary of the Treasury, taking into consideration the current average market yield on outstanding long-term marketable obligations of the United States, adjusted to the nearest one-eighth of 1 per centum, payable semi-annually, such interest, as income, being subject to disbursement by the Librarian of Congress for the purposes specified: *Provided, however*, That the total of such principal sums at any time so held by the Treasurer under this authorization shall not exceed the sum of \$10,000,000.

(Mar. 3, 1925, ch. 423, §2, formerly §1, 43 Stat. 1107; renumbered §2, Apr. 13, 1936, ch. 213, 49 Stat. 1205; amended June 23, 1936, ch. 734, 49 Stat. 1894; Pub. L. 87-522, July 3, 1962, 76 Stat. 135; Pub. L. 94-289, May 22, 1976, 90 Stat. 521.)

CODIFICATION

Section is comprised of third par. of section 2 of act Mar. 3, 1925. First, second, and fourth pars. of section 2 are classified to sections 156, 157, and 158a of this title, respectively.

AMENDMENTS

1976—Pub. L. 94-289 substituted “a rate which is the higher of the rate of 4 per centum per annum or a rate which is 0.25 percentage points less than a rate determined by the Secretary of the Treasury, taking into consideration the current average market yield on outstanding long-term marketable obligations of the United States, adjusted to the nearest one-eighth of 1 per centum” for “the rate of 4 per centum per annum”.

1962—Pub. L. 87-522 increased the total amount of deposits which can be held by the Treasurer from \$5,000,000 to \$10,000,000.

1936—Act June 23, 1936, substituted “in the absence of any specification to the contrary” for “Should any gift or bequest so provide”.